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AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

# UNITED STATES DISTRICT COURT

for the

David Martinez Robles  
Petitioner

v.

Oregon State Hospital  
Psychiatric Security Review Board  
Respondent  
(name of warden or authorized person having custody of petitioner)

Case No. LO: 21-CV-1327-MK  
(Supplied by Clerk of Court)

## PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

### Personal Information

1. (a) Your full name: David Martinez Robles  
(b) Other names you have used: David M. Robles, David Robles
2. Place of confinement:  
(a) Name of institution: OSH Junction City  
(b) Address: 29398 Recovery Way  
Junction City OR 97448  
(c) Your identification number: \_\_\_\_\_
3. Are you currently being held on orders by:  
☐ Federal authorities ☒ State authorities ☐ Other - explain: \_\_\_\_\_
4. Are you currently:  
☐ A pretrial detainee (waiting for trial on criminal charges)  
☒ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime  
If you are currently serving a sentence, provide:  
(a) Name and location of court that sentenced you: Vanhill County  
Circuit Court, McMinnville OR 97128  
(b) Docket number of criminal case: CR11017101  
(c) Date of sentencing: 1-25-2012  
☐ Being held on an immigration charge  
☐ Other (explain): \_\_\_\_\_

### Decision or Action You Are Challenging

5. What are you challenging in this petition:  
☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

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- ☐ Pretrial detention  
☐ Immigration detention  
☐ Detainer  
☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)  
☐ Disciplinary proceedings  
☒ Other (explain):

Distinctions in PSRB Report  
 reasons for sentence it was carried out. Never  
 sent a day in jail and not to be released till 9m later

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: Yamhill County Court(b) Docket number, case number, or opinion number: CR 110171 DV

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

Sentencing to PSRB and formal High  
 Dangers to community & the world. UN 12  
 who was not arrested on 3/10/11

(d) Date of the decision or action: 1-25-12**Your Earlier Challenges of the Decision or Action**7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☐ Yes ☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: \_\_\_\_\_

(2) Date of filing: \_\_\_\_\_

(3) Docket number, case number, or opinion number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

(b) If you answered "No," explain why you did not appeal: \_\_\_\_\_

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☐ No

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**Grounds for Your Challenge in This Petition**

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

**GROUND ONE:**

Booked & released on this  
crime 11 months later

(a) Supporting facts (Be brief. Do not cite cases or law.):

indictment happened 3/10/11 news  
appeared national to appeal in court on 1-25-12  
Booked released and sentence on that day

(b) Did you present Ground One in all appeals that were available to you?

☐ Yes☒ No**GROUND TWO:**

Never allowed to state that  
I stopped using any illegal drugs  
I was going to court later in  
do recovery center then he would my release

(a) Supporting facts (Be brief. Do not cite cases or law.):

1455 from Kankakee County Mental  
Health and 1455 from Sevier Home Portland

(b) Did you present Ground Two in all appeals that were available to you?

☐ Yes☒ No**GROUND THREE:**

that I would be released  
to community on the 1st of August  
Review Panel I was not clear  
made aware it was very the 1st of August

(a) Supporting facts (Be brief. Do not cite cases or law.):

No because of sentencing  
was off number is a 21/2  
Prison Booking Court and sentence

(b) Did you present Ground Three in all appeals that were available to you?

☐ Yes☒ No

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**GROUND FOUR:**

Discrimination of  
first responses and what is written  
the PSRB statements of fact

(a) Supporting facts (Be brief. Do not cite cases or law.):

PSRB assign report to me  
does not match facts  
first responses, compared  
to which the PSRB was stuck

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes

☒ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

could be state to work  
a court order for PSRB  
only because of my illness

**Request for Relief**

15. State exactly what you want the court to do:

sentenced give full PSRB  
served

If you are incarcerated, on what date did you place this petition in the prison mail system:

Date: 9-2-21

David P. P. P.

Signature of Petitioner

\_\_\_\_\_  
Signature of Attorney or other authorized person, if any